

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Board of Patent Appeals and Interferences

In re Patent Application of

Atty Dkt. JPD-4398-286

C# M#

Confirmation No. 9703

GING et al.

TC/A.U.: 3772

Serial No. 10/781,949

Examiner: Nihir B. Patel

Filed: February 20, 2004

Date: March 13, 2009

Title: NASAL MASK ASSEMBLY

**Mail Stop Appeal Brief - Patents**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

☐ **Correspondence Address Indication Form Attached.**

☐ **NOTICE OF APPEAL**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences

from the last decision of the Examiner twice/finally rejecting \$540.00 (1401)/\$270.00 (2401) \$  
applicant's claim(s).

☐ An appeal **BRIEF** is attached in the pending appeal of the \$540.00 (1402)/\$270.00 (2402) \$  
above-identified application

☐ Credit for fees paid in prior appeal without decision on merits -\$( )

☒ A reply brief is attached. (no fee)

☐ Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s)  
One Month Extension \$130.00 (1251)/\$65.00 (2251)  
Two Month Extensions \$490.00 (1252)/\$245.00 (2252)  
Three Month Extensions \$1110.00 (1253)/\$555.00 (2253)  
Four Month Extensions \$1730.00 (1254)/\$865.00 (2254) \$

☐ "Small entity" statement attached.

Less month extension previously paid on -\$( )

**TOTAL FEE ENCLOSED \$ 0.00**

☐ **CREDIT CARD PAYMENT FORM ATTACHED.**

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.  
The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or  
asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this  
firm) to our **Account No. 14-1140**.

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NIXON & VANDERHYE P.C.  
By Atty: John P. Darling, Reg. No. 44,482

Signature: /John P. Darling/